

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

I. Summary Of The Claims

This amendment adds and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Applicants acknowledge the Examiner's comments that claims 39-42, 44-48, and 50 are allowed.

Claim 43 has been amended to more clearly state the invention and to delete the phrase "under conditions of Northern hybridization." In addition, claims 51 and 52 are added to the application.

Exemplary support for new claim 51 is in original claim 28 and the specification at page 25. Exemplary support for new claim 52 is in original claims 7 and 20. Applicants believe each of these new claims will require no more than a cursory review by the Examiner. MPEP § 714.13. As noted by the Examiner, the previous claims were allowed because the prior art does not teach or suggest the specifically claimed DNA sequences. Office action, page 3. The Examiner further noted that compositions comprising these DNA sequences are also novel and non-obvious. Office action, page 3. As such, Applicants respectfully request entry of new claims 56 and 64, as both are directed to compositions comprising these DNA sequences.

Applicant respectfully requests that this 'after final' amendment and reply be considered and entered, since it is believed to place this application in condition for allowance. In addition, Applicants kindly request entry of the amendments by the Examiner as the foregoing amendments do not introduce new matter into the claims.

After amending the claims as set forth above, claims 39-52 are now pending in this application.

II. Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 43 and 49 were rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner advised Applicants to rewrite claim 43 so as to correct grammatical errors. The Examiner noted that claim 49 was rejected for depending from a rejected base claim.

As amended, claim 43 avoids these issues. Accordingly, Applicants respectfully request withdrawal of this ground of rejection.

III. Conclusion

The present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,


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